

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DA VONTE LOVE,

Plaintiff,

v.

Case No. 11-C-1054

DAVID A CLARKE, JR
sued as David A Clark Jr,

Defendant.

ORDER ADDRESSING VARIOUS MOTIONS

Pro se Plaintiff De Vonte Love has filed a motion to compel a Milwaukee Circuit Court judge to lift his order prohibiting Love from sending correspondence to courts with which he has pending cases. He also seeks an order compelling the defendants at the Milwaukee County Jail where he is presently confined to provide him greater access to the law library and better services. In a third motion, Love requests that the Court appoint a legal guardian for him because “I have a lot of mental health issues which can effect my case here.” Finally, Love has filed a motion to compel the jail to acknowledge Wisconsin Act 32 which he claims limits annual legal loans for inmates and that it deprives him of due process rights and rights he has under the Prison Litigation Reform Act.

Beginning with the last of the above motions, his motion to compel the jail to acknowledge Wisconsin’s Governor signed an act that limits legal loans and that the act has an adverse impact on his ability to access to the courts is denied. This is not the type of relief the courts provide and

having the jail acknowledge difficulties is not going to further Love's case or have any impact on it. Accordingly, the motion is denied.

His motion for legal guardians is also denied. The appointment of legal guardians is a matter for state courts. It is outside the jurisdiction of this Court and thus that motion is denied as well.

The motion to compel the defendants at the Milwaukee Jail to improve their library services is also denied. Love was allowed to proceed in this case against the defendants for placement in segregation. His complaints about the adequacy of the Milwaukee County Jail Law Library are not part of this case and are too general and nonspecific for the Court to be able to determine whether they are impacting his prosecution in this case. Accordingly, that motion is denied.

Finally, Love's motion to compel the Milwaukee Circuit Court judge to modify his order to allow correspondence to be sent to the Courts in which he has pending litigation raises more serious difficulties. Of course the judge who issued the order is not a party to this proceeding and it is unclear whether Love has ever sought modification of the order or explained to the judge that he has pending federal litigation. Certainly a state court judge may not prevent a federal litigant from corresponding to the Court in which he has actions that are pending. How this difficulty should be addressed, however, is not clear. Accordingly, defendants are directed to file a response to Love's motion that seeks relief from an order which on its face prevents him from corresponding with the Court. Defendants shall file a response within ten days, or on or before June 11, 2012.

SO ORDERED this 31st day of May, 2012.

s/ William C. Griesbach
William C. Griesbach
United States District Judge